

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

PHILIP ANDREW McNUTT, *et al.*,

Plaintiffs,

vs.

CHELAN COUNTY,

Defendant.

NO. MC-07-0011-CI

ORDER ADOPTING REPORT AND
RECOMMENDATION AND DISMISSING
COMPLAINT WITHOUT PREJUDICE

Magistrate Judge Imbrogno filed a Report and Recommendation (Ct. Rec. 2) on October 1, 2007, recommending the Motion for Writ of Execution (Ct. Rec. 1) be dismissed with leave to renew upon filing of judgment and payment of appropriate filing fee as determined by the Clerk of the Court. See FED. R. CIV. P. 69(a); RCW 6.17 *et seq.* There being no objections, **IT IS HEREBY ORDERED:** the Court **ADOPTS** the Report and Recommendation and the Complaint is **DISMISSED WITHOUT PREJUDICE.**

IT IS SO ORDERED. The District Court Executive is directed to enter this Order, forward a copy to Plaintiffs, enter judgment, and close the file.

DATED this 29th day of October 2007.

S/ Edward F. Shea

EDWARD F. SHEA

UNITED STATES DISTRICT JUDGE

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ORDER-- 1